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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,854	03/10/2004	Yu-Liang Lin	Q1220	3759
	7590 11/24/200 & TRADEMARK LAV	EXAMINER		
1001 FOURTH	AVENUE, SUITE 320	JACOBS, TODD D		
SEATTLE, WA	SEATTLE, WA 98154			PAPER NUMBER
			3746	
			MAIL DATE	DELIVERY MODE
			11/24/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		Application No.	Applicant(s)				
Office Action Summary		10/797,854	LIN ET AL.				
		Examiner	Art Unit				
		TODD D. JACOBS	3746				
	The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).							
Status							
1) 又	Responsive to communication(s) filed on <u>09 Se</u>	entember 2009					
·		action is non-final.					
′=	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is						
-	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.						
	·	A painte quayie, 1000 0.21 11, 10	3 3.3.2.3.				
Disposition	on of Claims						
4)🛛	☑ Claim(s) <u>10 and 23</u> is/are pending in the application.						
4	4a) Of the above claim(s) is/are withdrawn from consideration.						
5)	5) Claim(s) is/are allowed.						
6)🛛	6)⊠ Claim(s) <u>10 and 23</u> is/are rejected.						
7)	Claim(s) is/are objected to.						
8)□	Claim(s) are subject to restriction and/or	election requirement.					
Application	on Papers						
9)□ 7	Γhe specification is objected to by the Examine	r.					
•	10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.						
=	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
	Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).						
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.							
Priority under 35 U.S.C. § 119							
_	· ·	priority under 35 LLC C S 110(a)	(d) or (f)				
	12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:						
a)L	=_						
	1. Certified copies of the priority documents have been received.						
	2. Certified copies of the priority documents	• •	<u></u>	0.4			
	3. Copies of the certified copies of the prior	·	d in this National	Stage			
application from the International Bureau (PCT Rule 17.2(a)).							
* See the attached detailed Office action for a list of the certified copies not received.							
Attachment(s)							
	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948)	4) ∐ Interview Summary Paper No(s)/Mail Da					
3) Information Disclosure Statement(s) (PTO/SB/08)  5) Notice of Informal Patent Application							
Paper No(s)/Mail Date 6) Other:							

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## **DETAILED ACTION**

This Office Action is in response to the entry dated 9/9/2009 and considers all proposed amendments/arguments.

## Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. <u>Claims 10, 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Takahashi et al (5,343,104).</u>
- 3. In re claims 10, 23 Takahashi teaches a fan structure comprising a hub (12), a motor (218, 217) located inside the hub, a plurality of fan blades (212) connected to the hub, and a circuit board (224) connected to the motor, wherein the circuit board comprises a protrusion (232), extending outside the circumference of the hub, and the protrusion carries thereon a heat-generating component (229; note that a thermistor is a heat generating component since it is a resistor; further note that Stixrud in 5,253,938 teaches that "In temperature sensing applications the electrical current through the thermistors must be low to minimize self heating errors... Another object is to provide for an improved temperature sensor with less self heating error since part of the output current does not go through a thermistor."), and comprises a cutout that extends from a tip of the protrusion to the heat-generating component, wherein the heat generating component comprises at least one integrated circuit or semi-conductor device (Takahashi discloses the thermistor as a chip thermistor and is therefore an integrated circuit (see col 8, line 49 and note that "integrated circuit" on Merriam-Webster dictionary is defined to be "a tiny complex of electronic components and their connections that is produced in or on a

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small slice of material (as silicon)" and so this thermistor chip is considered an IC). Also note that Merriam-Webster dictionary defines a thermistor as "an electrical resistor making use of a **semiconductor** whose resistance varies sharply in a known manner with the temperature"), so that heat generated by the heat generating component is dispersed by an air flow flowing past the protrusion (as shown on Fig 16, air flowing past the protrusion 232 can disperse heat generated by the thermistor 229; note further that the device only needs to be *capable* of having the heat be dispersed by an air flow flowing past the protrusion).

## Response to Arguments

Applicant's arguments filed have been fully considered but they are not persuasive.

Applicant argues that the thermistor of Takahashi is not heat generating, but as shown above this is an inherent property of thermistors. Further, applicant argues that the thermistor of Takahashi is neither a semiconductor nor an integrated circuit. However, as shown above this the thermistor of Takahashi is a chip thermistor (and therefore an integrated circuit, because a chip is an integrated circuit) and also thermistors by definition are semi-conductors.

## **Conclusion**

4. **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TODD D. JACOBS whose telephone number is 571-270-5708. The examiner can normally be reached on Monday - Friday, 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Devon Kramer can be reached on 571-272-7118. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Devon C Kramer/ Supervisory Patent Examiner, Art Unit 3746

/TODD D. JACOBS/ Examiner, Art Unit 3746